



April 22, 2006

Docket Clerk, Fruit and Vegetable Programs
Agricultural Marketing Service
U.S. Department of Agriculture
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Managing Director
Charles J. Rivara

Attn: Trista Etzig

Docket No. FV06-1290-1 PR

RIN 0581-AC59

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On behalf of the California Tomato Research Institute, Inc. a non-profit crop improvement association, we submit these comments in response to proposed rule regarding Specialty Crop Block Grant Program - Request for Approval of a New Information Collection.

The CTRI represents the tomato crop improvement research interests of California farmers. They provide over 90 % of the stable, safe and secure source of tomato products for the American consumer. Processed tomato sauces, ketchup and peeled tomato products from our crops provide the major source of mineral nutrients in the American diet.

This issue has come to our recent attention and CTRI would like to highlight three major concerns with the proposed rule:

1. The proposed rule change would impede scientific progress in determining how all forms of food are utilized by the human body. We already know many desirable bioactive compounds in fruits and vegetables are more available to humans following processing. This is certainly the case for lycopene and is likely for others.

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2. The rule is inconsistent with the clear intent of Congress when it passed the Specialty Crop Competitive Act in 2004 (Public Law 108-465) and will limit consumer choice by excluding the promotion of all types of specialty crops including canned fruits and vegetables.

Section 1290.4 of the proposed rule: Eligible grant project, states that: (a) to be eligible for a grant, the project(s) must enhance the competitiveness of specialty crops. **Priority will be given to fresh specialty crop projects.**

This language is inconsistent with the authorizing legislation and will limit competitiveness and ultimately consumer choice.

Congress did not intend for one form of specialty crop to be given priority over others, nor to restrict state departments of agriculture from promoting a variety of specialty crops. USDA has exceeded its regulatory authority in giving preference to fresh specialty crops


3. The rule does not recognize the growing body of evidence on the benefits of canned fruits and vegetables.

The proposed rule is counter to federal guidelines on nutrition. The Dietary Guidelines for Americans 2005 Identifies canned foods as a way to help people consume the recommended daily variety and amount of fruits and vegetables.

Nowhere in the Dietary Guidelines is preference given for fresh fruits and vegetables.

On behalf of the California Tomato Research Institute, thank you for considering these comments. We urge USDA to issue a final rule that is consistent with the will of Congress, scientifically sound and recognizes the importance of promoting all types and forms of healthy and nutritious specialty crops. As proposed, this rule will restrict promotion efforts and is counter to open competition. It also does not reflect current scientific knowledge of the importance of all types and forms of fruits and vegetables in promoting health. Thank you.

Sincerely,



Charles J. Rivara
Director

California Tomato Research Institute, Inc.